

1
2 BILL NO. Z-77-08-17

3 ZONING MAP ORDINANCE NO. Z-28-77

4 AN ORDINANCE amending the City of
5 Fort Wayne Zoning Map No. FFL.

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
7 OF FORT WAYNE, INDIANA:

8 SECTION 1. That the area described as follows is
9 hereby designated an R 3 District under the terms of Chapter 36,
10 Municipal Code of the City of Fort Wayne, Indiana, 1946, as
11 amended by General Ordinance No. 2836 and amendments thereof;
12 and the symbols of the City of Fort Wayne Zoning Map No. FFL,
13 referred to therein, established by Section 9, Article III of
14 said Chapter as amended, are hereby changed accordingly, to-wit:

15 West .72 acre of Lot 18 Edsalls Subdivision
and Lagro Reserve South of Huntington Road.

16 SECTION 2. This Ordinance shall be in full force and
17 effect from and after its passage, approval by the Mayor and
18 legal publication thereof.

19
20 *Vivian G Schmidt*
21 Councilman
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35 APPROVED AS TO FORM
AND LEGALITY,

W. A. Clark
CITY ATTORNEY

Read the first time in full and on motion by J. Schmidt, seconded by

Otier, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock M., E.S.T.

DATE: 8-9-77

Charles W. Witterman
CITY CLERK

Read the third time in full and on motion by J. Schmidt, seconded by Singa, and duly adopted, placed on its passage.

PASSED (6-1) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>			
<u>BURNS</u>	<u>X</u>				
<u>HINGA</u>	<u>X</u>				
<u>HUNTER</u>	<u>X</u>				
<u>MOSES</u>	<u>X</u>				
<u>NUCKOLS</u>	<u>X</u>				
<u>SCHMIDT, D.</u>	<u>X</u>				
<u>SCHMIDT, V.</u>	<u>X</u>				
<u>STIER</u>	<u>X</u>				
<u>TALARICO</u>	<u>X</u>				

DATE: 10-11-77

Charles W. Witterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. 3-28-77 on the 11th day of October, 1977.
ATTEST: (SEAL)

Charles W. Witterman
CITY CLERK

John Jacobs
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of October, 1977 at the hour of 12:30 o'clock P. M., E.S.T.

Charles W. Witterman
CITY CLERK

Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock _____ M., E.S.T.

Robert Ellingshong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

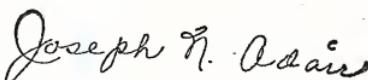
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

Certified and signed this
3rd day of October, 1977.



Joseph N. Adair
Secretary

Bill No. Z-77-08-17

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. PF1

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD SCHMIDT

SAMUEL J. TALARICO

Vivian G. Schmidt
Winfield C. Moses Jr.
William T. Hinga
Donald Schmidt
Samuel J. Talarico

DATE 10-11-77 CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Date

July 13 1977

No.

10006

Received From

Robert Page / Bruce Snyder

Address

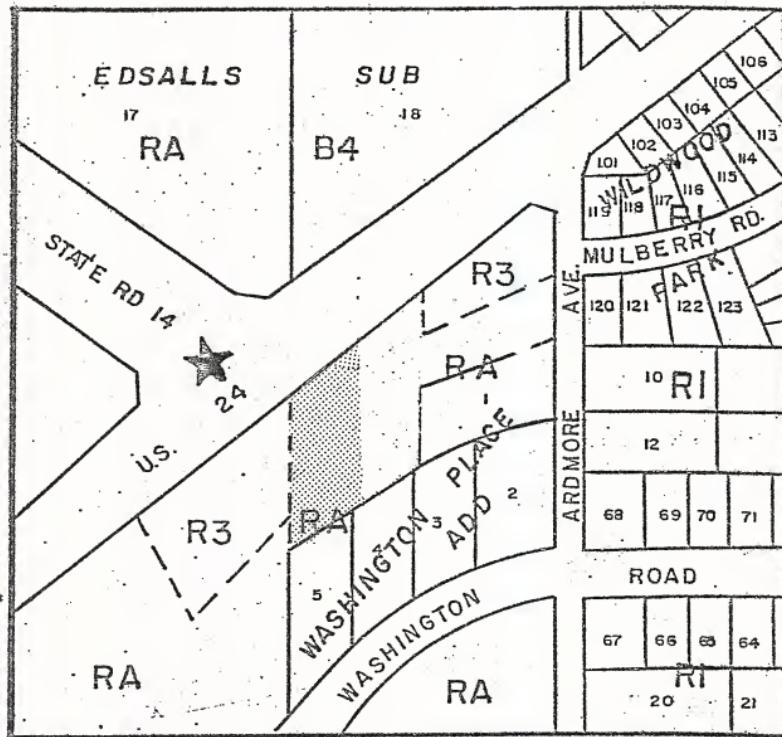
Sixty dollars — Dollars \$ 50.00

For

rezoning - Lower
Washington Rd (3835)

ACCOUNT	HOW PAID		
AMT. OF ACCOUNT	50-	CASH	
AMT. PAID	50-	CHEE	5417
BALANCE DUE		MONEY ORDER	By pc

CITY PLAN COMMISSION
CITY-COUNTY BUILDING
FORT WAYNE, INDIANA 46802



REZONE FROM RI TO R3

MAP NO FFI

2-77-08-17

We Dale E. Sims and Elsie J. Sims
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-1 District to a/an R-3 District the property described as follows:

West .72 acre of Lot 18 Edsalls Subdivision and Lagro Reserve South of Huntington Road

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

We, the undersigned, certify that we are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Dale E. Sims 3835 Upper Huntington Road Dale E. Sims

Elsie J. Sims 3835 Upper Huntington Road Elsie J. Sims

(Name) (Address & Zip Code) (Signature)
(If additional space is needed, use reverse side)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

Bruce R. Snyder 1514 Anthony Wayne Bank Bldg. Fort Wayne, Indiana 46802 424-5930
(Name) (Address & Zip code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Owners of Property

Dale E. Sims

Elsie J. Sims

(Name)

3835 Upper Huntington Road
Fort Wayne, Indiana 46804

3835 Upper Huntington Road
Fort Wayne, Indiana 46804

(Address & Zip Code)

(Signature)

Dale E. Sims
Elsie J. Sims

REB Number assigned by Bill Salin's office: # 3734

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-77-0817

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following described property:

The west .72 acre of Lot # 18 Edsalls Subdivision and Lagro Reserve South of Huntington Road, commonly known as 3835 Upper Huntington Road.

From "R1" to "R3"

EFFECT OF PASSAGE Property is presently zoned "R1" - Single Family Residential.

Petitioners are requesting an "R3" District - Multiple Family Residential.

The R3 District permits offices and studios following approval of the Board of Zoning Appeals.

EFFECT OF NON-PASSAGE Property would remain "R1"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.)



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

October 14, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of October 18 and October 25, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. Z-77-05-10
Zoning Map Ord. Z-24-77

Bill No. Z-77-08-13
Zoning Map Ord. Z-25-77

Bill No. Z-77-08-14
Zoning Map Ord. Z-26-77

Bill No. Z-77-08-16 (without attached covenants)
Zoning Map Ord. Z-27-77

Bill No. Z-77-08-17
Zoning Map Ord. Z-28-77

Bill No. Z-77-08-33
Zoning Map Ord. Z-29-77

Bill No. G-77-09-08
General Ord. G-38-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Sincerely,
Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL; 7



Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head	number of lines	_____
Body	number of lines	80
Tail	number of lines	1

Total number of lines in notice _____

COMPUTATION OF CHARGES

81 lines, 1 columns wide equals 81 equivalent lines at .259¢ cents per line \$ 20.98

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 22.48

Notice is hereby given that on the 11th day of October, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session adopted the following BILL OF ZONING MAP ORDINANCE NO. 2-77-08-17 Zoning Map Ordinance, to wit:

ZONING MAP ORDINANCE NO. Z-28-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1: That this Ordinance, as described as follows, is hereby designated and designated the Zoning Map of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, General Ordinance No. 28-77 and amending therein the symbols of the City of Fort Wayne Zoning Map No. FF1, referred to as the "existing Zoning Map" in Article III of said Chapter as amended, to the extent necessary, the symbols of the City of Fort Wayne Zoning Map No. FF1, referred to as the "existing Zoning Map" in Article III of said Chapter as amended, are hereby changed according to the following:

Went .73 acre of Lot 18 Edsells Subdivision and Lagro Reserve South of Huntington Road.

SECTION 2. This Ordinance shall be in full force and effect from and after the 11th day of October, 1977, the Mayor and legal publication thereof.

Vivien G. Schmidt, Councilwoman

Read the third time in full and on motion by Vivien G. Schmidt, Councilwoman, and duly adopted, placed on its passage, PASSED by the following vote:

AYES: Nine, Burns, Hinga, Hunter, Moses, Nickola, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
Date: 10-11-77

Charles W. Westerman, City Clerk
Personally and signed before the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-28-77 on the 11th day of October, 1977, at the hour of 10:00 A.M. E.S.T.

Charles W. Westerman, City Clerk
Approved and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M., E.S.T.

Robert E. Armstrong, Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-28-77 passed by the Common Council on the 11th day of October, 1977, and that this Ordinance was duly signed and approved by the Mayor on the 13th day of October, 1977 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, the 13th day of October, 1977.

Charles W. Westerman, City Clerk

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Common Council of Fort Wayne
(Governmental Unit)

To..... JOURNAL-GAZETTEDr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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COMPUTATION OF CHARGES

81 lines, 1 columns wide equals 81 equivalent lines at .259¢
cents per line

\$ 20.98

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

\$ 1.50

TOTAL AMOUNT OF CLAIM

\$ 22.48

DATA FOR COMPUTING COST

Notice is hereby given that on the 11th day of October, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Z-28-77 BILL NO. Z-27-77 17 Zoning Map Ordinance, to-wit:

BILL NO. Z-27-77-17

ZONING MAP ORDINANCE NO. Z-28-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FFI-1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1: That the area described as Section 18 of the Zoning Map No. FFI-1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1968, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols of the City of Fort Wayne Zoning Map No. FFI-1, attached to and made a part of this Ordinance, established by Section 9, Article III of said Chapter as aforesaid, are hereby changed accordingly, to-wit:

West .72 acre of Lot 18 Edsall Subdivision, Fort Largo Reserve South of Huntington Road.

SECTION 2: This Ordinance shall be in full force and effect as soon after its passage, approval by the Mayor and legal publication thereof.

William G. Schmid, City Councilman

Read the first time in Council and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on the passage of the JOURNAL-GAZETTE after its passage, approval by the Mayor and legal publication thereof.

Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-28-77 on the 11th day of October, 1977, at the hour of 12:30 P.M. E.S.T.

Charles W. Westerman, City Clerk
Appointed and signed by me this 13th day of October, 1977, at the hour of 11:00 o'clock A.M., E.S.T.

Robert E. Armstrong, Mayor

I, Charles W. Westerman, City Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full and complete copy of Zoning Map Ordinance No. Z-28-77 passed by the Common Council on the 11th day of October, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 13th day of October, 1977 and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 13th day of October, 1977.

Charles W. Westerman, City Clerk
10-18-29

9.9

th of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just no part of the same has been paid.



Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:

ALLEN County } ARVILLA DEWEALD

Personally appeared before me, a notary public in and for said county and state, the undersigned CLERK who, being duly sworn, says that she is CLERK

JOURNAL-GAZETTE

A DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

10/18-25/77

Subscribed and sworn to before me this 25th day of October 1977

Notary Public

My commission expires September 28, 1979



